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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | CR No. 08-0161 MAG |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION AND |
| v. |) | <u>ORDER EXCLUDING TIME</u> |
| |) | |
| JASON M. LOMBARD, |) | |
| |) | |
| Defendant. |) | |
| |) | |

On May 1, 2008, the parties in this case appeared before the Court for an initial appearance on a misdemeanor and arraignment. At that time, the matter was continued to August 6, 2008, for the defendant to be evaluated by Pretrial Services for his eligibility for diversion. Since that time, the defendant has been accepted by Pretrial Services and has been placed on pretrial diversion. Accordingly, the parties request that the August 6, 2008, appearance be vacated and the case be continued for approximately six months for the defendant to complete his pretrial diversion. Accordingly, the parties agree that the prosecution will be deferred and the matter continued from August 6, 2008, to January 14, 2009, or as soon thereafter as the matter may be

1 heard, for Mr. Lombard to complete the pretrial diversion program. The parties agree that
2 pretrial diversion is an appropriate disposition of this case and that - taking into account the
3 public interest in prompt disposition of criminal cases - good cause exists for this extension. 18
4 U.S.C. § 3161(h)(2).

5
6 IT IS SO STIPULATED:

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

9 DATED: 8/04/08

_____/s/_____
10 WENDY THOMAS
Special Assistant United States Attorney

11 DATED: 8/04/08

_____/s/_____
12 NED SMOCK
13 Attorney for Mr. Lombard

14 Based on the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED
15 that the August, 6, 2008, appearance be vacated and that the matter be continued to January 14,
16 2009, or as soon thereafter as the matter may be heard, for deferral of prosecution by the United
17 States for the purpose of allowing the defendant to complete a pretrial diversion program.

18
19 DATED: August 7, 2008

